

REMARKS

Favorable reconsideration of this patent application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 2-6,9,11-14,16,17, and 27 have been rejected as being indefinite under 35 USC 112; Claims 2-6,9,14,16,17, and 27 have been rejected as being unpatentable over Podd et al. in view of Mundinger et al. under 35 USC 103; Claims 2-6,9,14,16,17, and 27 have been rejected as being unpatentable over Podd et al. in view of Mundinger under 35 USC 103; Claim 11 has been rejected as being unpatentable over Podd et al. in view of Mundinger et al. and Seaman under 35 USC 103; Claim 11 has been rejected as being unpatentable over Podd et al. in view of Mundinger and Seaman under 35 USC 103; Claims 12 and 13 have been rejected as being unpatentable over Podd et al. in view of Mundinger et al. and Nelligan under 35 USC 103; and Claims 12 and 13 have been rejected as being unpat-

entable over Podd et al. in view of Mundinger and Nelligan under 35 USC 103. Claim 27 was previously cancelled, new Claim 28 was previously inserted, and consequently, Claims 2-23 and 28 are now active in this patent application.

It is reiterated to the examiner that the present invention, in accordance with the previously made elections of inventions and species, the specification, and the drawings, comprises a bulk material cargo container liner housing bulk material, having a substantially rectangular parallelepiped structure when erected. and a longitudinal axial extent as defined along a longitudinal axis extending between rear and front wall surface portions, at least one vacuum discharge tube member disposed internally within the bulk material cargo container liner for discharging the bulk cargo material through a bulk material discharge port defined within the rear wall surface portion of the bulk material cargo container liner, and at least one inflatable air bag component, operatively associated with the bulk material cargo container liner for causing the bulk cargo material, disposed within said bulk material cargo container liner, to undergo fluid

flow transversely, with respect to the longitudinal axis and the longitudinal axial extent of the bulk material cargo container liner, toward the at least one longitudinally oriented vacuum discharge tube member disposed within the bulk material cargo container liner when the at least one inflatable air bag component is inflated from a relatively deflated state to a relatively inflated state so as to facilitate the evacuation of the bulk cargo material from the interior of the bulk material cargo container liner without requiring the tilting of said bulk material cargo container liner.

So, effectively in conclusion, it is respectfully noted to the examiner that Claim 28 recites the fact that the vacuum discharge tube member is disposed within the bulk material cargo container liner, and that an inflatable air bag component is operatively associated with the bulk material cargo container liner such that when the inflatable air bag component is inflated, it will force the bulk material disposed within the bulk material cargo container liner to be moved toward the vacuum discharge tube member so as to effectively be evacuated or discharged from the bulk material

cargo container liner. More particularly, it is noted that the vacuum discharge tube member is disposed internally within the bulk material cargo container liner and has a predetermined longitudinal axial extent so as to extend longitudinally rearwardly from a forward internal position within the vicinity of the front wall surface portion of the bulk material cargo container liner toward a bulk material discharge port defined within the rear wall surface portion of the bulk material cargo container liner. In addition, the inflatable air bag component, operatively associated with the bulk material cargo container liner, causes the bulk cargo material, disposed within the bulk material cargo container liner, to undergo fluid flow transversely, with respect to the longitudinal axis and the longitudinal axial extent of the bulk material cargo container liner, toward the longitudinally extending vacuum discharge tube member disposed within the bulk material cargo container liner when the inflatable air bag component is inflated from a relatively deflated state to a relatively inflated state so as to facilitate the evacuation of the bulk cargo material from the interior of the bulk material cargo container liner without requiring the tilting of the bulk material cargo container liner. This combination of structure is respectfully submitted to be lacking within any

of the prior art, and it is respectfully submitted that there are no teachings within the prior art which would motivate one to combine any of the teachings of the prior art in order to render obvious the claimed invention.

More particularly, Podd et al. does not teach the use of any vacuum discharge tube at all, and in addition, does not disclose the use of a vacuum discharge tube member which is in fact disposed internally within the bulk material cargo container liner and which extends longitudinally from a position within the front wall surface of the bulk material cargo container liner toward the rear wall surface of the bulk material cargo container liner within which there is defined a discharge port. In addition, and quite importantly, as has been noted hereinbefore, the plurality of air bags of Podd et al. are inflated so as to cause the bulk material to move or migrate in a rearward manner from the forward regions of the bulk material cargo container liner toward the discharge port. To the contrary, the air bags of the present invention are inflated so as to cause the bulk material to move transversely within the bulk material cargo container

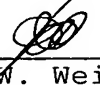
liner and with respect to the longitudinal axis thereof so as to be discharged by the vacuum discharge tube member. None of these features are disclosed within Podd et al.

Continuing further, while Mundinger and Mundinger et al. disclose the use of pneumatic discharges, they do not accomplish the same by inflatable means. In addition, there would be no way to combine the teachings of Mundinger or Mundinger et al. with those of Podd et al. because if the systems of Mundinger or Mundinger et al. were somehow incorporated into Podd et al., the entire system of Podd et al. would be structurally altered so as to operate in an entirely different manner, which is not permitted in accordance with current patent practice. In other words, the combination of such prior art would not simply comprise a mere substitution of parts but a fundamental structural change in the Podd et al. system. For example, how would a transversely movable bulk material system such as that of either of the Mundinger or Mundinger et al. references be incorporated within a rearward moving inflatable bag system such as that of Podd et al.? Similar arguments are appropriate with respect to Nell-

igan and Seaman. While both Nelligan and Seaman admittedly employ inflatable means for moving bulk material toward a discharge port, neither reference utilizes longitudinally oriented vacuum discharge tube means, and the discharge of the material is in the longitudinal direction, not the transverse direction toward a longitudinally oriented vacuum discharge tube means as is characteristic of the present invention.

In light of the foregoing, it is submitted that the claims of this patent application therefore define over all of the prior art of record and therefore this patent application is now in condition for allowance. An early and favorable action is now anticipated and awaited.

Respectfully Submitted,
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